

NIXON VANDERHYTE PC Fax 703+816+4100 Nov 26 2007 03:04pm P001/007
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. SCS-550-489

FACSIMILE CERTIFICATE

FLYNN

C# M#

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on November 26, 2007, specifically to 571-273-8300.

Serial No. 10/715,368

TC/A.U.: 2116

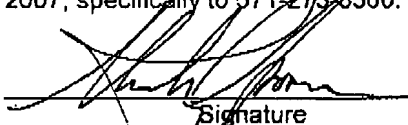
Examiner: M. Brown

Filed: November 19, 2003

Date: November 26, 2007

Title: DATA PROCESSING PERFORMANCE CONTROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Signature
Stanley C. Spooner
Reg. No. 27,393

No. of pages transmitted (including this cover sheet): 7 pages

Sir:

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☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s).

\$510.00 (1401)/\$255.00 (2401) \$ 510.00

☐ An appeal **BRIEF** is attached in the pending appeal of the above-identified application

\$510.00 (1402)/\$255.00 (2402) \$

☐ Credit for fees paid in prior appeal without decision on merits

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☐ A reply brief is attached.

(no fee)

☒ Pre-Appeal Brief Request for Review form attached.

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254) \$

☐ "Small entity" statement attached.

Less month extension previously paid on

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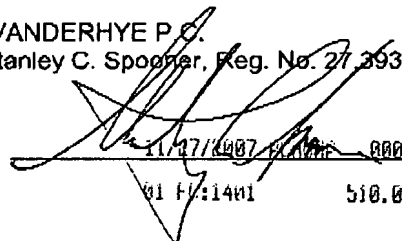
TOTAL FEE ENCLOSED \$ 510.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature:


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